

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Kenneth Pitts

Case No.

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

-v-

San Juan College

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Kenneth Pitts
Street Address	131 Washington St. #35
City and County	Brighton, Suffolk County
State and Zip Code	Massachusetts 02135
Telephone Number	(614) 940-9232
E-mail Address	pittsk80@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	San Juan College
Job or Title <i>(if known)</i>	
Street Address	4601 College Boulevard
City and County	Farmington, San Juan County
State and Zip Code	New Mexico 87402
Telephone Number	(505) 326-3311 / (505) 566-3562 / (505) 566-3425
E-mail Address <i>(if known)</i>	pta@sanjuancollege.edu

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐

Federal question

☒

Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Kenneth Pitts, is a citizen of the
State of *(name)* Massachusetts.

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated
under the laws of the State of *(name)*,
and has its principal place of business in the State of *(name)*.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* San Juan College & PTA Program, is a citizen of
the State of *(name)* New Mexico. Or is a citizen of
(foreign nation).

b. If the defendant is a corporation

The defendant, *(name)*, is incorporated under
the laws of the State of *(name)*, and has its
principal place of business in the State of *(name)*.
Or is incorporated under the laws of *(foreign nation)*,
and has its principal place of business in *(name)*.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:
\$1,200,000.00 because the former PTA Program Director committed a brazen act of racial discrimination from Spring of 2019 to June 2020. After terminating the employment of Therese Millis for her discriminatory act, the institution then retaliated against me by harassing, intimidation, failing grades, evidence tampering and what I believe to be defamation. The ordeal has caused me an incredible amount of anxiety, stress, emotional distress, and PTSD.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Former PTA Program Director, Therese Millis denied my many requests for the same or similar clinical rotations situation as 2-3 non-minority students within the same cohort. She stated that the policy prohibits students from completing rotations with a current or previous employer. Regarding MGH, Millis claimed that their affiliation with my former employer, the Boston Bruins. Millis was fired days after my complaint was filed because she had permitted non-minority students to complete rotations with their then employer while denying my requests for the same or similar accommodation. The remaining program staff and institution then began to retaliate against me from that point and continue to do so currently by restricting my ability to complete the program.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

The PTA program staff and institution have continued to make it difficult to complete the degree program. Since the filing of my complaint with the college in June 2020, retaliation has occurred by way of harassment, intimidation and bullying from the program staff, failing grades, defamation, and evidence tampering. Due to the denial of my requests to complete rotations with potential employers during this program, I missed out on gainful employment opportunities. As a result of this, I have lost an estimated \$400k - \$500k (\$100k - \$125k yr) in earnings from 2019 to present day, 2022. I seek relief in completing my PTA degree as well as to recover compensatory and punitive damages. Based on the level of retaliation, I request punitive damages level of 3.

My request for \$1,200,000.00 is a sum total of the low end of lost earnings of \$400k multiplied by a punitive level of 3, or the high end of \$500k multiplied by a punitive level of 2.4. Also, I ask that if the college wishes to continue to set up barriers to the completing of my degree, that they continue to compensate me for lost earnings by paying the \$100k - \$125k I continue to lose yearly. When I have completed the PTA program, payments should then cease.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

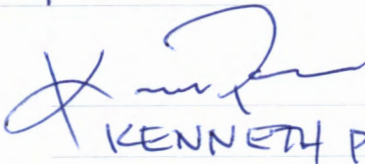
I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

7/1/2022

Signature of Plaintiff

Printed Name of Plaintiff


KENNETH PITTS

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address